

- ☐ Rezoning ☐ Other
☐ Use Permit
☐ Development Review
☐ Master Sign Programs
☒ Variance

Case # 8-BA-2002 #2 / 259-PA-2002

Project Name _____

Location 6901 E. WINDSTONE TRAIL

Applicant DON & MARIA LAWRENCE

SITE DETAILS

Proposed/Existing Zoning: RI-70 ESL

Use: SINGLE FAMILY

Parcel Size: 165' X 330'

☐ Gross Floor Area ☐ Total Units: _____

☐ Floor Area Ratio ☒ Density: 1 DU/AC

Parking Required: _____

Parking Provided: _____

Of Buildings: 1

Height: 26'

Setbacks: N- 60 S- 40

E- 20 W- 60

In the following space, please describe the project or the request

PARCEL WAS CREATED IN THE COUNTY UNDER RURAL 43 ZONING. IT WAS ANNEXED TO SCOTTSDALE IN OCTOBER 1983 UNDER ITS THEN EXISTING ZONING AND SUBSEQUENTLY REZONED TO RI-70 ESL. THIS CAUSED THE PARCEL TO BECOME NON-COMFORMING BECAUSE ITS GROSS AREA IS 54,450 SF.

THE VARIANCE REQUEST IS TO ALLOW A SIDE YARD REDUCTION OF 10 FEET FROM 30 FEET TO 20 FEET.



Justification For
Requested Variance



CASE # 8-BA-2002 #2

PROJECT # 259 - PA-2002

APPLICANT TO FILL OUT THIS PORTION

Address Where Variance is Requested

6901 E. WINDSTONE TRAIL
SCOTTSDALE, AZ

JUSTIFICATION

Must Be Completed Fully By Applicant (All Four Justifications Must Be Satisfied)

1. That there are special circumstances applying to the property referred to in the application which do not apply to other properties in the District. The special circumstances must relate to the size, shape, topography, location or surroundings of the property at the above address.

THE SPECIAL CIRCUMSTANCES ARE THOSE RELATING TO THE SIDE YARD SETBACK REQUIREMENTS OF THE R1-70 ESL ZONE. IN AS MUCH AS THE PARCEL WAS CREATED TO COMPLY WITH RURAL 43 REQUIREMENTS, THE CURRENT R1-70 ESL REQUIREMENTS ARE NOT COMPATIBLE THUS CREATING A NEED FOR A VARIANCE TO BUILD ON THIS SITE

2. That the authorizing of the variance is necessary for the preservation of the privileges and rights enjoyed by other properties within the same zoning classification and zoning district.

OTHER PARCELS IN THE NEIGHBORHOOD, SPECIFICALLY THE NEIGHBOR DIRECTLY NORTH, WERE DEVELOPED IN ACCORDANCE WITH RURAL 43 ZONING EVEN THOUGH THEY WERE BUILT AFTER THE PROPERTIES WERE ANNEXED BY SCOTTSDALE ? SUBSEQUENT TO BEING REZONED TO R1-70 ESL

3. That special circumstances were not created by the owner or applicant.

THE SPECIAL CIRCUMSTANCES WERE CREATED BY THE PRIOR OWNER'S FAILURE TO PROPERLY RECORD THE LOT SPLIT WITH THE CITY OF SCOTTSDALE IN 1986. HE RECORDED THE SPLIT WITH MARICOPA COUNTY, NOT KNOWING THE CITY HAD ANNEXED THE LAND 3 YEARS PRIOR (AS BEST AS WE CAN TELL).

4. That the authorizing of the application will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or the public welfare in general.

IT WILL CONFORM TO OTHER RESIDENCES DEVELOPED IN THE NEIGHBORHOOD